

Amendments to Senate Bill No. 423
3rd Reading Copy

Requested by Representative Pat Noonan

For the House Human Services Committee

Prepared by Sue O'Connell
April 6, 2011 (2:38pm)

1. Title, page 1, line 6.

Strike: "LICENSING FOR"

Insert: "REGULATING"

2. Title, page 1, line 10.

Strike: "37-1-101"

3. Page 1, line 17.

Strike: "40"

Insert: "37"

4. Page 1, line 19.

Strike: "40"

Insert: "37"

5. Page 1, line 21.

Strike: "40"

Insert: "37"

6. Page 1, line 24.

Strike: "40"

Insert: "37"

7. Page 2, line 2.

Following: "products;"

Insert: "and"

8. Page 2, line 3.

Strike: subsection (iv) in its entirety

Renumber: subsequent subsections

9. Page 2, line 7.

Strike: "40"

Insert: "37"

10. Page 2, line 9 through line 10.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

11. Page 2, line 17 through line 18.

Strike: "and by" on line 17 through "pain" on line 18

12. Page 2, line 19.

Following: "including"

Insert: "necessary and relevant"

13. Page 2, line 27.

Following: "hospice care"

Insert: ", assisted living, or a nursing home"

Following: " ;"

Strike: "or"

14. Page 2.

Following: line 27

Insert: "(k) post-traumatic stress disorder; or"

Renumber: subsequent subsections

15. Page 2, line 28 through line 29.

Strike: "legislature" on line 28 through "[section 3]" on line 29

Insert: "department, which may consult with medical experts as
necessary to determine whether to add a medical condition or
treatment"

16. Page 3, line 4.

Strike: "courier,"

17. Page 3, line 5 through line 6.

Strike: "17 through 40"

Insert: "16 through 37"

18. Page 3, line 8.

Strike: "17 through 40"

Insert: "16 through 37"

19. Page 3, line 15.

Strike: "17 through 40"

Insert: "16 through 37"

20. Page 3, line 16.

Strike: "23"

Insert: "21"

21. Page 3, line 21 through line 22.

Strike: "that has existed" on line 21 through "assessed" on line
22

22. Page 4, line 2 through line 3.

Strike: subsection (16) in its entirety

Renumber: subsequent subsections

23. Page 4, line 4.

Strike: "3"

Insert: "3"

24. Page 4, line 7.

Strike: "40"

Insert: "37"

25. Page 4, line 19.

Following: "reviewing"

Insert: "any necessary and"

26. Page 4, line 25 through line 26.

Strike: "OR A QUALIFYING" on line 25 through "PAIN" on line 26

27. Page 5, line 2.

Strike: "LABOR AND INDUSTRY"

Insert: "agriculture"

28. Page 5, line 3.

Strike: "2-15-1701"

Insert: "2-15-3001"

29. Page 5, line 6.

Strike: "20"

Insert: "19"

30. Page 5, line 7.

Strike: "17 through 40"

Insert: "16 through 37"

31. Page 5, line 12.

Strike: "20"

Insert: "19"

Strike: "17 through 40"

Insert: "16 through 37"

32. Page 5, line 30 through page 6, line 24.

Strike: section 3 in its entirety

Renumber: subsequent sections

33. Page 6, line 28.

Strike: "40"

Insert: "37"

34. Page 7, line 2 through line 3.

Strike: "objective proof" on line 2 through "the results of" on line 3

Insert: "a written statement from the physician stating that physician has conducted a thorough exam of the patient and a

review of the patient's medical records and the results of any necessary and relevant"

35. Page 7, line 11.

Strike: "40"

Insert: "37"

36. Page 7, line 13.

Following: "or"

Insert: "or"

37. Page 7, line 15.

Strike: "OR"

Insert: "and"

38. Page 7, line 16 through line 17.

Strike: subsection (III) in its entirety

39. Page 8, line 10.

Strike: "40"

Insert: "37"

40. Page 8, line 12.

Strike: "40"

Insert: "37"

41. Page 8, line 14.

Strike: "5"

Insert: "4"

42. Page 8, line 21.

Strike: "shall"

Insert: "may"

Following: "verify"

Insert: "any portion of"

43. Page 8, line 23.

Following: "renewal"

Insert: "and all required application materials"

44. Page 8, line 28.

Strike: "40"

Insert: "37"

45. Page 9, line 11.

Strike: "name"

Insert: "registry identification card number"

46. Page 10, line 8 through line 10.

Following: "patient" on line 8

Strike: "that has" on line 8 through "assessed" on line 10

47. Page 10, line 26 through line 27.

Strike: "or the second" on line 26 through "chronic pain" on line 27

48. Page 10, line 30.

Strike: "40"

Insert: "37"

49. Page 11, line 6.

Strike: "25"

Insert: "50"

50. Page 11, line 16.

Strike: "16"

Insert: "15"

51. Page 11, line 18.

Strike: "16"

Insert: "15"

52. Page 12, line 6.

Strike: "40"

Insert: "37"

53. Page 12, line 7.

Strike: "40"

Insert: "37"

54. Page 12, line 21.

Following: "number"

Insert: ", visibility, signage,"

55. Page 13, line 1.

Strike: "14"

Insert: "13"

56. Page 13, line 7.

Strike: "or a courier"

57. Page 13, line 9.

Strike: "or courier"

58. Page 13, line 12.

Strike: "or courier"

59. Page 13, line 30.

Strike: "4"

Insert: "3"

Strike: "12"
Insert: "6"

60. Page 14, line 12.

Strike: "or"
Insert: ", "
Following: "licensee"
Insert: ", or employee or contractor of the licensee"

61. Page 14, line 12.

Strike: "or"
Insert: ", "
Following: "licensee"
Insert: ", employee, or contractor"

62. Page 14, line 13.

Following: "license"
Insert: ", or identification card"
Strike: "and"

63. Page 14, line 15.

Strike: "40"
Insert: "37"
Following: "];"
Insert: "or
(iii) is transporting therapeutic marijuana to a registered cardholder and is in possession of:
(A) a copy of the grower's or manufacturer's license;
(B) an identification card issued by the state licensing authority; and
(C) the registry identification card number of the cardholder to whom the marijuana is being delivered"

64. Page 14, line 16.

Following: "rebutted by"
Insert: "clear and convincing"

65. Page 15, line 6.

Strike: "14"
Insert: "13"

66. Page 15, line 7.

Strike: "4"
Insert: "3"
Following: "]" "
Strike: "or"
Insert: ", "
Following: "licensed"
Strike: "or registered"

67. Page 15, line 8.

Strike: "40"

Insert: "37"

Following: "]"

Insert: ", or a person employed by a licensee or contracting with a licensee in accordance with the provisions of [sections 1 through 37]"

68. Page 15, line 12.

Strike: "10"

Insert: "9"

69. Page 15, line 14.

Strike: "registrant"

Insert: "an employee or contractor of the licensee"

70. Page 15, line 22.

Strike: "40"

Insert: "37"

71. Page 15, line 28.

Strike: "40"

Insert: "37"

72. Page 16, line 2.

Strike: "37"

Insert: "35"

Strike: ", "

Insert: "or"

Following: "license"

Strike: ", or registration"

73. Page 16, line 8 through line 9.

Following: "CARD"

Strike: " _ "

Insert: "or"

Following: "LICENSE"

Strike: " _ OR " on line 8 through "REGISTRATION" on line 9

Insert: "or has obtained an identification card as an employee or contractor"

74. Page 16, line 10.

Strike: "REGISTRATION"

Insert: "identification card"

75. Page 16, line 15.

Strike: "40"

Insert: "37"

76. Page 16, line 21.

Strike: "40"

Insert: "37"

77. Page 17, line 10.

Following: "chapter 5,"

Insert: "an assisted living facility, or a nursing home"

78. Page 17, line 12.

Strike: "40"

Insert: "37"

79. Page 18, line 10.

Strike: "40"

Insert: "37"

80. Page 18, line 15.

Strike: "16"

Insert: "15"

81. Page 18, line 19 through line 22.

Strike: subsection (c) through subsection (d) in their entirety

Renumber: subsequent subsections

82. Page 18, line 24.

Strike: "7"

Insert: "6"

83. Page 18, line 27.

Strike: "16"

Insert: "15"

84. Page 19, line 1.

Strike: "17 through 40"

Insert: "16 through 37"

85. Page 19, line 2.

Strike: "LABOR AND INDUSTRY"

Insert: "agriculture"

86. Page 19, line 4.

Strike: "17 through 40"

Insert: "16 through 37"

87. Page 19, line 5 through line 6.

Strike: "and operation" on line 5 through "[section 39]" on line
6

88. Page 19, line 9.

Strike: "DETERMINE THE NUMBER OF LICENSES TO BE ISSUED"

Insert: "issue licenses"

89. Page 19, line 10 through line 11.

Following: "GROWERS" on line 10

Strike: "1"

Insert: "and"

Strike: "1 AND" on line 10 through "PERIODIC" on line 11

Insert: ". The state licensing authority shall conduct"

Following: "reviews"

Insert: "every 2 years"

90. Page 19, line 14.

Strike: "INITIAL REVIEW AND"

91. Page 19, line 16.

Strike: "AND"

92. Page 19.

Following: line 16

Insert: "(ii) deny applications to renew licenses; or"

Renumber: subsequent subsections

93. Page 19, line 22 through line 25.

Strike: "40" in each place it appears

Insert: "37" in place of 40 in each place

94. Page 19, line 29.

Strike: "40"

Insert: "37"

95. Page 20, line 8.

Following: "applications"

Insert: "for licensees and the employees and contractors of
licensees"

96. Page 20, line 9.

Strike: "17 through 40"

Insert: "16 through 37"

97. Page 20, line 27.

Strike: "17 through 40"

Insert: "16 through 37"

98. Page 21, line 5.

Strike: "40"

Insert: "37"

99. Page 21, line 18.

Strike: "40"

Insert: "37"

100. Page 21, line 19.

Strike: "40"

Insert: "37"

101. Page 21, line 21.

Strike: "registrant"

Insert: "licensee's employees or contractors"

102. Page 21, line 29.

Following: "may"

Strike: "not"

103. Page 22, line 2.

Strike: "the use" through "marijuana"

Insert: "the issuance of identification cards for the employees of licensees and contractors who are involved in cultivating, manufacturing, or transporting therapeutic marijuana or therapeutic marijuana-infused products"

104. Page 22, line 7.

Strike: "may"

Insert: "shall"

105. Page 22, line 9.

Strike: "40"

Insert: "37"

106. Page 22, line 15.

Strike: "(1)"

107. Page 22, line 17 through line 20.

Following: "an applicant" on line 17

Strike: "must be" through "this section" on line 20

Renumber: subsequent subsections

108. Page 22, line 27.

Strike: "2"

Insert: "3"

109. Page 23, line 4.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

110. Page 23, line 8.

Following: "[SECTION 19]"

Insert: "; "

Following: "AND"

Insert: "(d) identification cards"

111. Page 23, line 9.

Following: "employed by"

Insert: "a licensee or a laboratory or"

Following: "working in"

Strike: ", "

112. Page 23, line 12.

Strike: "17 through 40"

Insert: "16 through 37"

113. Page 23, line 16.

Strike: "17 through 40"

Insert: "16 through 37"

114. Page 23, line 18 through page 24, line 10.

Strike: section 22 in its entirety

Renumber: subsequent sections

115. Page 23, line 20.

Strike: "9"

Insert: "8"

116. Page 23, line 28.

Strike: "40"

Insert: "37"

117. Page 24, line 29.

Strike: "26"

Insert: "24"

118. Page 24, line 30.

Strike: "27"

Insert: "25"

119. Page 25, line 7.

Strike: "40"

Insert: "37"

120. Page 25, line 8.

Strike: "17 through 40"

Insert: "16 through 37"

121. Page 25, line 22.

Strike: "95"

Insert: "100"

122. Page 25.

Following: line 26

Insert: "(3) A therapeutic marijuana grower may operate offices
at which it may discreetly dispense therapeutic marijuana in

accordance with rules adopted by the state licensing authority, as follows:

(a) two offices for a grower with 50 or more registered cardholders; and

(b) one office for a grower with fewer than 50 registered cardholders."

Renumber: subsequent subsections

123. Page 25, line 29.

Following: "and"

Insert: "and"

124. Page 25, line 30 through page 26, line 1.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

125. Page 26, line 3 through line 6.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

126. Page 26.

Following: line 25

Insert: "(3) A therapeutic marijuana-infused products manufacturer may operate offices at which it may discreetly dispense therapeutic marijuana in accordance with rules adopted by the state licensing authority, as follows:

(a) two offices for a manufacturer with 50 or more registered cardholders; and

(b) one office for a manufacturer with fewer than 50 registered cardholders."

Renumber: subsequent subsections

127. Page 27, line 16.

Strike: "or registration"

128. Page 27, line 28.

Strike: "or registrant"

Insert: ", employee, or contractor"

129. Page 28, line 4.

Strike: "(6) (b) "

Insert: "(5) (b) "

130. Page 28.

Following: line 11

Insert: "(c) An identification card for an employee or contractor is valid for the period of time determined by the state licensing authority."

131. Page 28, line 12.

Strike: "or registration"
Strike: "17 through 40"
Insert: "16 through 37"

132. Page 28, line 13.
Strike: "or registrant"

133. Page 28, line 14 through line 15.
Strike: "or registration" on line 14
Strike: the second "or" on line 14 through "holds" on line 15
Insert: "held"

134. Page 28, line 18.
Following: "manager," in both places
Strike: "or"
Insert: "employee" in both places
Insert: ", or contractor"

135. Page 28, line 23.
Strike: "required"
Insert: "card issued"

136. Page 29, line 21.
Strike: "40"
Insert: "37"

137. Page 29, line 23.
Strike: "40"
Insert: "37"

138. Page 30, line 17.
Strike: "17 through 40"
Insert: "16 through 37"

139. Page 30, line 22.
Insert: "(4) A licensee shall display a duplicate license at any office where the licensee does business."

140. Page 30, line 23 through line 24.
Strike: "Cash"
Insert: "Documentation of"
Strike: "prohibited"
Strike: "(1) Cash" on line 23 through "prohibited." on line 24
Renumber: subsequent subsections

141. Page 30, line 29 through line 30.
Strike: subsection (4) in its entirety

142. Page 31, line 6 through line 7.
Strike: "17 through 40" in both places

Insert: "16 through 37" in both places

143. Page 31, line 8.

Strike: "or courier license"

144. Page 31, line 15.

Strike: "8"

Insert: "7"

145. Page 31, line 16.

Strike: the first "shall"

Insert: "may"

146. Page 31, line 23.

Strike: "17 through 40"

Insert: "16 through 37"

147. Page 31, line 29.

Strike: "40"

Insert: "37"

148. Page 32, line 11.

Strike: "38"

Insert: "36"

149. Page 32, line 18.

Strike: "40"

Insert: "37"

150. Page 32, line 21.

Strike: "17 through 40"

Insert: "16 through 37"

151. Page 32, line 128 through 29.

Strike: "17 through 40"

Insert: "16 through 37"

152. Page 32, line 30.

Strike: "40"

Insert: "37"

153. Page 33, line 2 through line 3.

Strike: "registration" in both places

Insert: "identification card" in both places

Strike: "40"

Insert: "37"

154. Page 33, line 5.

Strike: "37"

Insert: "35"

155. Page 33, line 7.

Strike: "17 through 40"

Insert: "16 through 37"

156. Page 33, line 8.

Strike: "32"

Insert: "30"

157. Page 33, line 9.

Strike: "32"

Insert: "30"

158. Page 33, line 10.

Following: "signs"

Insert: "other than those approved by the state licensing
authority or a local government pursuant to [section 7]"

159. Page 33, line 13.

Strike: "17 through 40"

Insert: "16 through 37"

160. Page 33, line 17.

Strike: "unless the licensee is a courier"

161. Page 33, line 20.

Following: "premises"

Insert: "unless the marijuana was obtained through a transfer as
allowed under [section 22]"

162. Page 33, line 22.

Strike: "17 through 40"

Insert: "16 through 37"

163. Page 34, line 3.

Strike: "frequent"

Insert: "regular"

164. Page 34, line 9.

Strike: "40"

Insert: "37"

165. Page 34.

Following: line 11

Insert: "(3) The state licensing authority shall share with the
department of revenue provided for in 2-15-1301 any
financial records requested by that department."

Renumber: subsequent subsections

166. Page 34, line 21.

Following: "tax year and"

Strike: "the"

Insert: "up to"

Strike: "immediately" through "tax year"

Insert: "during the term of the license"

167. Page 34, line 22.

Strike: "month"

Insert: "quarter"

168. Page 34, line 23.

Strike: "month"

Insert: "quarter"

169. Page 34, line 24.

Strike: "through reimbursement of costs"

170. Page 34, line 29.

Strike: "names and"

171. Page 35, line 16 through line 7.

Strike: "17 through 40" in both places

Insert: "16 through 37" in both places

172. Page 35, line 10.

Strike: "40"

Insert: "37"

173. Page 35, line 27 through page 36, line 2.

Strike: section 39 in its entirety

ReNUMBER: subsequent sections

174. Page 36, line 5.

Strike: "17 through 40"

Insert: "16 through 37"

175. Page 36, line 10.

Strike: "Money"

Insert: "Beginning July 1, 2015, 50% of the money"

176. Page 36, line 12 through page 37, line 20.

Strike: section 41 in its entirety

177. Page 38, line 9.

Strike: "40"

Insert: "37"

178. Page 40, line 4.

Strike: "40"

Insert: "37"

179. Page 40, line 18.

Strike: "40"

Insert: "37"

180. Page 40, line 30.

Strike: "40"

Insert: "37"

181. Page 43, line 15.

Strike: "40"

Insert: "37"

182. Page 43, line 19.

Strike: "40"

Insert: "37"

183. Page 44, line 24.

Strike: "40"

Insert: "37"

184. Page 46, line 13.

Strike: "40"

Insert: "37"

185. Page 46, line 26.

Strike: "40"

Insert: "37"

186. Page 47, line 24.

Strike: "40"

Insert: "37"

187. Page 48, line 4.

Strike: "4"

Insert: "3"

188. Page 48, line 8.

Strike: "6"

Insert: "5"

189. Page 48, line 12.

Strike: "40"

Insert: "37"

190. Page 48, line 23.

Strike: "40"

Insert: "37"

191. Page 48, line 25 through page 50, line 14.
Strike: section 55 through section 56 in their entirety
Renumber: subsequent sections

192. Page 51, line 20.
Strike: "registration"
Insert: "an identification card"
Strike: "40"
Insert: "37"

193. Page 51, line 27.
Strike: "registration"
Insert: "identification card"

194. Page 52, line 18 through line 21.
Strike: section 58 in its entirety

195. Page 53, line 5.
Insert: "NEW SECTION. **Section 53. Appropriation.** (1) The following money is appropriated from the special revenue account created in [section 37] to the state licensing authority for the purposes of carrying out the provisions of [sections 16 through 37]:

Fiscal year 2012	\$AN AMOUNT
Fiscal year 2013	\$AN AMOUNT

(2) There is appropriated \$350,000 in fiscal year 2012 to the state licensing authority from the special revenue account credited to the department of public health and human services for the medical marijuana registry. The state licensing authority shall use the appropriation to hire up to 4 FTE and to carry out the provisions of [sections 16 through 37]."

196. Page 53, line 6.
Strike: "(a)"

197. Page 53, line 7 through line 8.
Strike: "SECTION 65(4)"
Insert: "this act"
Strike: "that did not" on line 7 through "pain" on page 8
Following: "card"
Insert: "(2) A caregiver who obtained a registry identification card prior to [the effective date of this act] is protected by the provisions of Title 50, chapter 46, that are in effect through December 31, 2011.

(3) A person who is in possession of marijuana plants, seedlings, cuttings, clones, usable marijuana, or marijuana-related products on or after January 1, 2012, and who has not obtained a registry identification card issued pursuant to [section 3] or a license or identification card issued pursuant to [section 16 through 37] is not protected by the provisions of

[this act]."

198. Page 53, line 9 through page 54, line 26.

Strike: subsection (b) through subsection (4) in their entirety

199. Page 55, line 16.

Strike: "14"

Insert: "13"

200. Page 55, line 22.

Strike: "(4)"

Insert: "(3)"

201. Page 55, line 23.

Strike: "October 1, 2011"

Insert: "January 1, 2012"

202. Page 55, line 24.

Strike: subsection (2) in its entirety

ReNUMBER: subsequent subsections

203. Page 55, line 25.

Strike: "[Section 4]" through "ARE"

Insert: "[Section 53] is"

204. Page 55, line 26 through page 27.

Strike: "[Sections 55, 56 and 58]" on line 26 through "63" on line 27

Insert: "[Sections 57 and 58]"

- END -